

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD)(SN)
ECF Case

This document relates to:

Burnett, et al. v. Al Baraka Investment & Development Corp. 1:03-cv-09849 (GBD)(SN)
Burnett, et al. v. Islamic Republic of Iran 1:15-cv-09903 (GBD)(SN)
Estate of John Patrick O'Neill Sr., et al. v. Islamic Republic of Iraq, et al., 04-cv-01076
(GBD)(SN)

MOTION TO SUBSTITUTE COUNSEL

COME NOW, Jennifer Nilsen, individually as spouse, and as Personal Representative of the Estate of Troy Nilsen, deceased; Scott Nilsen, individually as surviving child of Troy Nilsen, deceased; and Ryan Nilsen, individually as surviving child of Troy Nilsen, deceased (“the Nilsen Plaintiffs”), Plaintiffs in *Burnett, et al. v. Al Baraka Investment & Development Corp.*, 1:03-cv-09849 (GBD)(SN), *Burnett, et al. v. Islamic Republic of Iran*, 1:15-cv-09903 (GBD)(SN), and *Estate of John Patrick O'Neill Sr., et al. v. Islamic Republic of Iraq, et al.*, 04-cv-01076 (GBD)(SN), and file this Motion to Substitute Counsel. As grounds for said Motion, the Nilsen Plaintiffs state as follows:

1. The Nilsen Plaintiffs were represented by Motley Rice LLC. On June 7, 2023, by emails, the Nilsen Plaintiffs advised the Motley Rice LLC *et al.*, that they desired new counsel.
2. The Nilsen Plaintiffs thereafter retained John F. Schutty, Esq. of the Law Office of John F. Schutty, P.C. to represent them in this litigation.
3. The Nilsen Plaintiffs now ask the Court to substitute John F. Schutty, Esq. as attorney of record as to the Nilsen Plaintiffs.

4. The Nilsen Plaintiffs, Motley Rice LLC and John F. Schutty, Esq., consent to the substitution of counsel as requested herein (signed Consents are attached to the accompanying Declaration of John F. Schutty, Esq. as part of a Stipulation & Consent Order, *see* Exhibit A).

WHEREFORE, PREMISES CONSIDERED, Jennifer Nilsen, individually as spouse, and as Personal Representative of the Estate of Troy Nilsen, deceased; Scott Nilsen, individually as surviving child of Troy Nilsen, deceased and Ryan Nilsen, individually as surviving child of Troy Nilsen, deceased; pray that this Honorable Court enter an Order substituting John F. Schutty, Esq. of Law Office of John F. Schutty, P.C. as attorney of record for the Nilsen Plaintiffs in *Burnett, et al. v. Al Baraka Investment & Development Corp.* 1:03-cv-09849 (GBD)(SN), *Burnett, et al. v. Islamic Republic of Iran* 1:15-cv-09903 (GBD)(SN), and *Estate of John Patrick O'Neill Sr., et al. v. Islamic Republic of Iraq, et al.*, 04-cv-01076 (GBD)(SN).

Dated: New York, New York
July 30, 2024

Respectfully Submitted,

/s/ *John F. Schutty*
John F. Schutty (JS2173)

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The motion to substitute counsel is GRANTED.
SO ORDERED.

[Signature]
SARAH NETBURN
United States Magistrate Judge

Dated: August 5, 2024
New York, New York